

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

IN RE PHARMACEUTICAL INDUSTRY  
AVERAGE WHOLESAL PRICE  
LITIGATION

THIS DOCUMENT RELATES TO ALL  
ACTIONS.

MDL No. 1456

CIVIL ACTION: 01-CV-12257-PBS

Judge Patti B. Saris  
Magistrate Judge Marianne B. Bowler

**UNOPPOSED MOTION FOR EXTENSION OF TIME FOR BRIEFING ON  
ABBOTT LABORATORIES' MOTION FOR PROTECTIVE ORDER AND  
MOTION TO QUASH PLAINTIFFS' THIRD PARTY SUBPOENAS**

Plaintiffs and Defendant Abbott Laboratories, Inc. ("Abbott"), by their undersigned counsel, respectfully request that this Court enter an order granting Plaintiffs an extension of time to complete the briefing on Abbott's Motion for Protective Order and Motion to Quash Plaintiffs' Third Party Subpoenas ("Motion to Quash") [Doc. No. 3190] and allowing Abbott to file a Reply in support of its Motion to Quash. As grounds for the foregoing, the parties state as follows:

1. On October 10, 2006, Abbott filed its Motion to Quash. Plaintiffs' Opposition is currently due on October 24.
2. Because of Plaintiffs' counsel's preparation for the Track 1 trial scheduled to begin on November 6, they require an extension of time to file their Opposition. Abbott does not oppose Plaintiffs' request, but seeks leave to file a Reply in support of its Motion.
3. Plaintiffs' counsel has advised the recipients of the subpoenas of the pendency of Abbott's Motion to Quash and that their time to respond is tolled pending a ruling by the Court on the Motion to Quash.

4. The parties therefore request that this Court enter an order: (1) giving Plaintiffs until November 13 to file their Opposition, which shall be limited to 15 pages; and (2) giving Abbott until December 5 to file its Reply, which shall be limited to 10 pages.

WHEREFORE the parties respectfully request that this Court enter an order setting forth the dates described above and all other relief that this Court deems just and proper.

DATED: October 17, 2006

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**Attorneys for Defendant Abbott  
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**CERTIFICATE OF SERVICE BY LEXISNEXIS FILE & SERVE**

Docket No. MDL 1456

I, Jennifer Fountain Connolly, hereby certify that I am one of plaintiffs' attorneys and that, on October 17, 2006, I caused copies of *Joint Motion For Extension Of Time For Briefing On Abbott Laboratories' Motion For Protective Order And Motion To Quash Plaintiffs' Third Party Subpoenas* to be served on all counsel of record by causing same to be posted electronically via Lexis-Nexis File & Serve.

/s/ Jennifer Fountain Connolly  
Jennifer Fountain Connolly